vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4875 OF 2007

Samadhan Madhukar Pawar ... Petitioner

V/s.

Kushtarog Nivaran Samiti
Shantivan & Ors. ... Respondents

Mrs.Anita A. Agarwal for Petitioner

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **JULY 19, 2007**

P.C.:

. The learned Advocate for the petitioner points out that after the services of the petitioner were terminated, an appeal was filed by him before the School Tribunal. An ad-interim injunction was sought by the petitioner against the respondents from executing the impugned order dated 22.3.2005. The Tribunal has accordingly issued an ad-interim injunction and show-cause notice to the respondents. Thereafter, on 27.2.2007, an application was made by the respondents for vacating the ad-interim injunction. An application was also filed by the petitioner to have the respondents' defence struck off since they were not attending the Court regularly. It appears that the petitioner has been continuing in service but his salary has not been paid. The Tribunal has refused the permission to strike off the defence and has directed

that the application regarding vacation of the interim injunction would be heard together with the appeal.

2. There is no error in the order passed by the Tribunal. The petitioner’s services are fully protected. Whether the petitioner is entitled to any wages for the period that he has worked after the order of termination, will be determined by the Tribunal at the hearing of the appeal.

3. Petition rejected.